

REMARKS/ARGUMENTS

Claims 33-40, 44-46 and 49-55 are present in this application. By this Amendment, claims 33 and 36 have been amended. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

Claims 33-35, 38 and 39 were rejected under 35 U.S.C. §102(b) over Korean Patent Publication 1996-007233 (KR '233). This rejection is respectfully traversed.

KR '233 discloses a mixing vessel including a cup 13 with a threaded upper end engageable with an actuating body 12 including a blade 9. In order for the KR '233 apparatus to function properly, it is necessary that the threaded connection between the cup 13 and the actuating body 12 form a seal; otherwise, any blended product in the cup 13 would leak during the blending operation.

Claim 33, in contrast, defines a vessel having an upper opening that defines a circumferential rim having a radially projecting outer periphery. See, for example, upper edge 3C in Figs. 1-4. The rim provides for a sealed engagement with lid 2, which is quickly and easily secured. The helical thread in the KR '233 structure does not form such a circumferential rim with a radially projecting outer periphery and in fact renders use and operation of the KR '233 device to be considerably more burdensome. Since at least this subject matter is lacking in the KR '233 publication, Applicant respectfully submits that the rejection is misplaced.

With regard to dependent claims 34, 35, 38 and 39, Applicant submits that these claims are allowable at least by virtue of their dependency on an allowable independent claim.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 40 was rejected under 35 U.S.C. §103(a) over KR '233. Applicant respectfully submits, however, that it would not have been obvious to modify the KR '233 structure to

incorporate the claimed circumferential rim as such would defeat the required seal between the cup 13 and the actuating body 12 of the apparatus. As such, Applicant submits that claim 40 is allowable at least by virtue of its dependency on an allowable independent claim. Withdrawal of the rejection is thus respectfully requested.

Applicant acknowledges with appreciation the indication that claims 44-55 are allowed and that claims 36 and 37 contain allowable subject matter. Claim 36 has been rewritten in independent form herein.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims are patentable over the art of record and that the application is in condition for allowance. Should the Examiner believe that anything further is desirable in order to place the application in condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Prompt passage to issuance is earnestly solicited.

Respectfully submitted,

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